

REMARKS

This amendment is responsive to the Office Action dated December 11, 2002. Claims 1-3, 5-11, 13-19, 21-24, 27, 33 and 34 are pending in the present application. Claims 1-3, 5-6, 9-11, 13-14, 27, and 33 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Koope (U.S. Patent No. 5,690,402). Claims 9-11, 13-19, 21-24, and 34 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Nunn (U.S. Patent No. 5,048,900). Claims 7-8 and 15-16 stand rejected under 35 U.S.C. § 103(a) over Koope in view of Nunn. Claims 1-3, 9-11, 17-19, 27, 33, and 34 have been amended solely to clarify the presently-claimed invention. No new claims have been added; and no claims have been deleted. Applicant respectfully requests reconsideration of the rejected claims. Applicant respectfully contends that the differences between the claimed invention and the prior art are such that the claimed invention is patentably distinct over the prior art.

1. Claims Rejections - 35 U.S.C. §102(b) – Claims 1-3, 5-6, 9-11, 13-14, 27, and 33

Claims 1-3, 5-6, 9-11, 13-14, 27, and 33 are pending in the present application and were rejected in the Office Action dated December 11, 2002, 35 U.S.C. § 102(b) as being anticipated by Koope. Applicant respectfully traverses this rejection. However, in an effort to provide clarification only, independent claims 1-3, 9-11, 27, and 33 have been amended. Claims 5-6 depend from independent claim 1, and claims 13-14 depend from independent claim 9. For brevity, only the basis for the rejection of independent claims 1 and 9 are traversed in detail on the understanding that dependent claims 5-6 and 13-14 are also patentably distinct over the prior

art as they depend directly from claims 1 or 9, respectively. Nevertheless, dependent claims 5-6 and 13-14 include additional features that, in combination with those of claims 1 or 9, provide further, separate, and independent bases for patentability.

The Examiner has stated that Koope teaches a box (2) comprising: a substantially non-rectangular hollow interior; a door (45) having a display panel (47); and a hinge (46) operatively attaching the door to the housing; the door further comprising a lip at least partially circumscribing the door. However, the Koope patent does not disclose “a substantially non-rectangular gaming machine top box housing having a substantially hollow interior” as required by the claimed invention of the present application. Indeed, the Koope patent is directed towards a display case that displays “small, expensive, or injurious items” (e.g., knives, as shown in Figs. 1 and 2) “for the convenient viewing of the purchasing public, yet secures the items from mishandling or theft while providing a convenient method to maintain storage of the displayed items for quick and easy retrieval.” Col. 1, lines 12-24.

Thus, the Koope patent relates to completely different and non-analogous art than that of the claimed invention, and is directed towards solving a completely different problem than that of the claimed invention. As explained in the present application:

Today, many gaming machines in casinos have top boxes. A top box is a cabinet that lies on top of the gaming machine. Top boxes are generally designed without openings or doors because they have to be both water resistant, to prevent liquids from damaging internal components, and secure, so that unauthorized persons are not able to tamper with the interior of the gaming machine.

Moreover, top boxes typically include colorful front panels made of glass that are backlit in order to attract attention to the gaming machine. Consequently, to service the inside of most top boxes, e.g., to fix a light bulb or to access the circuitry located therein, the entire glass panel must be removed from the top box.

This process is very cumbersome and the glass panel usually ends up being broken.

Accordingly, those skilled in the art have long recognized a need for a top box, the inside of which may be serviced quickly and efficiently without there being a high probability of breaking the glass located within the top box; that has a simple, cost-effective design; and is suitable for both upright and slant top gaming machines.

Pg. 1, lines 6-19.

The claimed invention of the present application solves a problem in the gaming machine top box market that has persisted since the inception of the gaming machine top box in spite of unrelated display cases that have existed in non-analogous arts. As such, the knife display case of the Koope patent does not teach or suggest the gaming machine housing of the present application. Accordingly, Applicant respectfully submits that the 35 U.S.C. §102(b) rejection of claims 1-3, 5-6, 9-11, 13-14, 27, and 33 has been overcome.

2. Claims Rejections - 35 U.S.C. §102(b) – Claims 9-11, 13-19, 21-24, and 34

Claims 9-11, 13-19, 21-24, and 34 are pending in the present application and were rejected in the Office Action dated December 11, 2002, under 35 U.S.C. § 102(b) as being anticipated by Nunn. Applicant respectfully traverses this rejection. However, in an effort to provide clarification only, independent claims 9-11, 17-19, and 34 have been amended.

Claims 13-16 depend from independent claim 9, and claims 21-24 depend from independent claim 17. For brevity, only the basis for the rejection of independent claims 9-11, 17-19, and 34 are traversed in detail on the understanding that dependent claims 13-16 and 21-24 are also patentably distinct over the prior art as they depend directly from claims 9 or 17, respectively. Nevertheless, dependent claims 13-16 and 21-24 include additional features that, in combination with those of claims 9 or 17, provide further, separate, and independent bases for patentability.

The Examiner has stated that Nunn teaches a box (10) comprising: a housing having a substantially hollow interior; a door (16) having a display panel (28); and a hinge (15) operatively attaching the door to a side portion of the housing; the door further comprising a lip at least partially circumscribing the door, and a lock for securing the box. However, the Nunn patent does not disclose “a gaming machine top box housing having a substantially hollow interior” as required by the claimed invention of the present application. Indeed, the Nunn patent, which is entitled, “Grinder Plates and Knives Storage Cabinet” is directed towards a “storage cabinet for grinder plates and knives ... to be used in a butcher shop.” See Abstract.

Thus, the Nunn patent also relates to completely different and non-analogous art than that of the claimed invention, and is directed towards solving a completely different problem than that of the claimed invention. The gaming machine top box problem that is addressed by the claimed invention of the present application has been described above in the previous claims rejection section.

The claimed invention of the present application solves a problem in the gaming machine top box market that has persisted since the inception of the gaming machine top box in spite of unrelated storage cabinets that have existed in non-analogous arts. As such, the grinder plates and knives storage cabinet of the Nunn patent does not teach or suggest the gaming machine housing of the present application. Accordingly, Applicant respectfully submits that the 35 U.S.C. §102(b) rejection of claims 9-11, 13-19, 21-24, and 34 has been overcome.

3. Claims Rejections - 35 U.S.C. §103(a) – Claims 7-8 and 15-16

Claims 7-8 and 15-16 are pending in the present application and were rejected in the Office Action dated December 11, 2002, under 35 U.S.C. § 103(a) over Koope in view of Nunn. Applicant respectfully traverses this rejection. However, in an effort to provide clarification only, independent claims 1 and 9 have been amended. Claims 7-8 depend from independent claim 1, and claims 15-16 depend from independent claim 9. For brevity, only the basis for the rejection of independent claims 1 and 9 are traversed in detail on the understanding that dependent claims 7-8 and 15-16 are also patentably distinct over the prior art as they depend directly from claims 1 or 9, respectively. Nevertheless, dependent claims 7-8 and 15-16 include additional features that, in combination with those of claims 1 or 9, provide further, separate, and independent bases for patentability.

The Examiner has stated that Koope teaches the Applicant's claimed invention, but does not show the box having a lock. Additionally, the Examiner states that Nunn teaches a box having a lock in an analogous art. However, as explained above, neither the Koope patent nor the Nunn patent, either alone or in combination, disclose "a gaming machine top box housing having a substantially hollow interior" as required by the claimed invention of the present application. In this regard, the non-analogous Koope patent is directed towards a display case for that displays "small, expensive, or injurious items" (e.g., knives, as shown in Figs. 1 and 2) "for the convenient viewing of the purchasing public, yet secures the items from mishandling or theft while providing a convenient method to maintain storage of the displayed items for quick and easy retrieval." Col. 1, lines 12-24. Further, the non-analogous Nunn patent, which is

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entitled, "Grinder Plates and Knives Storage Cabinet" is directed towards a "storage cabinet for grinder plates and knives ... to be used in a butcher shop." See Abstract.

Thus, the cited references relate to completely different and non-analogous art than that of the claimed invention, and are directed towards solving a completely different problem than that of the claimed invention. Accordingly, Applicant respectfully submits that the 35 U.S.C. §102(b) rejection of claims 9-11, 13-19, 21-24, and 34 has been overcome.

CLOSURE

Applicant has made an earnest and bona fide effort to clarify the issues before the Examiner and to place this case in condition for allowance. In view of the foregoing discussions, it is clear that the differences between the claimed invention and the prior art are such that the claimed invention is patentably distinct over the prior art. Therefore, reconsideration and allowance of all of Applicant's claims 1-3, 5-11, 13-19, 21-24, 27, 33 and 34 is believed to be in order, and an early Notice of Allowance to this effect is respectfully requested. If the Examiner should have any questions concerning the foregoing, the Examiner is invited to telephone the

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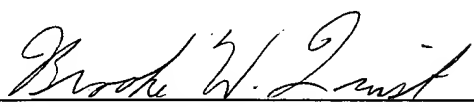
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undersigned attorney at (310) 712-8319. The undersigned attorney can normally be reached Monday through Friday from about 9:30 AM to 5:30 PM Pacific time.

Respectfully submitted,

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